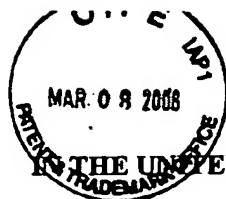


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THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Our Case No. 1723-14245US02)

In the Application of:

Scott L. Childs

For: **NOVEL COCRYSTALLIZATION**

Serial No.: 10/763,987

Filing Date: January 21, 2004

Examiner: Paul J. Killos

Group Art Unit: 1625

Confirmation No.: 9485

CERTIFICATE OF MAILING

) I hereby certify that this correspondence is
) being deposited with the United States
) Postal Service as first class mail in an
) envelope addressed to Mail Stop
) Amendment, Commissioner for Patents,
) P.O. Box 1450, Alexandria, VA 22313-
) 1450, on February 28, 2006.

) By:

Michael B. Harlin
Michael B. Harlin
Reg. No. 43,658

PRELIMINARY AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please add new claims 69 to 99, in addition to claims 1 to 68 which are pending.

Amendments to the Claims are reflected in the listing of claims which begins on page 2
of this paper.

Remarks begin on page 26 of this paper.

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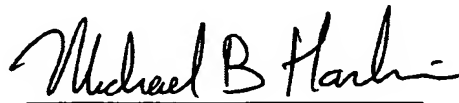
REMARKS

New claims 69 to 99 are supported throughout the specification and originally filed claims, including, for example, at original claim 46, Table 2, pages 2-8, 2-11, 2-15, 2-26, 2-31, 2-32, and 2-35, and Table 3, pages 3-14, 3-30, 3-40, 3-41, 3-42, and 3-45. New claims 76 to 99 are also supported throughout the specification and originally filed claims, including, for example, at pages 15-16.

Claims 1, 6, 7, 27, 28, 53 and 54 have been amended to specify that the guest is an acid and that the claims are not limited to carboxylic acids. Claim 12 and 32 have been amended to specify that the active agent comprises an amine and that the claims are not limited to secondary and tertiary amines. Claims 47 and 48 have been amended to specify that the counterion is a phosphate or a bromide, respectively. The amendments do not narrow the scope of the claims.

Applicants request allowance of claims 1 to 99. The Examiner is invited to telephone the undersigned to discuss any questions or be of any assistance to the Examiner in the reconsideration and allowance of this case.

Respectfully submitted,



Michael B. Harlin
Reg. No. 43,658

Dated: February 28, 2006

McAndrews, Held & Malloy, Ltd.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100



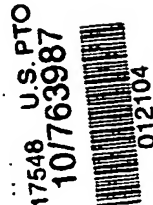
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No: 14245US02

PATENT APPLICATION TRANSMITTAL

Box Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Scott L. Childs

Title: NOVEL COCRYSTALLIZATION

APPLICANT CLAIMS SMALL ENTITY STATUS. See 37 C.F.R. § 1.27.

1. Type of Application

This new application is for a:

☒ utility patent.

☐ design patent.

This application is a:

☐ continuation

☐ divisional

☐ continuation-in-part (CIP)

2. Application Papers Enclosed

— Title Page

140 Pages of Written Description (excluding Claims, Abstract & Drawings)

19 Page(s) of Claims (1- 68)

1 Page(s) of Abstract

5 Sheet(s) of Drawings (Figs. 1-5)

☐ Formal

☒ Informal

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Patent Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on January 21, 2004, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EL649154074US.

Michael B. Harlin

7. **Deposit Account and Refund Authorization**

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 or under other applicable rules (except payment of issue fees), to Deposit Account No. 13-0017. A copy of this Transmittal is enclosed.


Please refund any overpayment to Deposit Account No. 13-0017.

Please direct all future communications to Michael B. Harlin at the address below.

McAndrews, Held & Malloy, Ltd.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661

Please direct all telephone calls to Michael B. Harlin at (312) 775-8202. Please direct all facsimile transmissions to Michael B. Harlin at (312) 775-8100. Please direct all e-mail transmissions to mharlin@mhmlaw.com.

Respectfully submitted,

By: 
Michael B. Harlin
Registration No. 43,658

Date: January 21, 2004

CUSTOMER NO. 23446